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PATENT TRADEMARK OFFICE

Patent
Case No.: 56132US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: HAMERLY, MICHAEL E.
Application No.: 09/771,757 Group Art Unit: 2874
Filed: January 29, 2001 Examiner: Brian Healy
Title: OPTICAL SWITCH BASED ON ROTATING VERTICAL
MICROMIRROR

**PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 CFR § 1.313(c)(2)
TO PERMIT CONSIDERATION OF AN INFORMATION DISCLOSURE STATEMENT
IN A REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR § 1.114**

Box 313b
Commissioner for Patents
Washington, DC 20231

| CERTIFICATE OF TRANSMISSION | |
|--|-------------------------------|
| To Fax No.: 703-308-6916 | |
| I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on: | |
| DATE | JANUARY 17 2003 |
| Date | Signed by: Kathleen M. Murray |

Dear Sir:

Applicants hereby petition for the withdrawal of this application from issue under 37 CFR § 1.313 (c)(2).

PATENT ISSUE FEE

The issue fee for this case was paid on December 19, 2002.

FAX RECEIVED

JAN 17 2003

PETITIONS OFFICE

REASON FOR WITHDRAWAL REQUEST

The reason for withdrawal from issue of this application is for consideration of an Information Disclosure Statement in a Request for Continued Examination.

**FILING OF REQUEST FOR CONTINUED EXAMINATION
UNDER 37 CFR § 1.114**

A Request for Continued Examination under 37 CFR § 1.114 is being submitted via facsimile with this petition. The RCE Transmittal paper and Information Disclosure Statement

1/17/2003 (are attached) 09771757
130.00 CH

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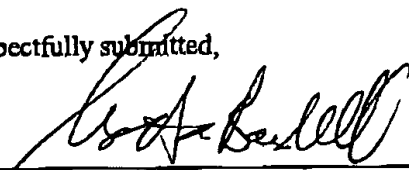
Please charge the petition fee provided in 37 CFR § 1.17(h), and if necessary, charge any additional fees, or credit any overpayment to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.

Respectfully submitted,

JANUARY 17 2003

Date

By:


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Office of Intellectual Property Counsel
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